



Handwritten initials: JW AF

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| | | |
|---|------------------------|------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/089,444-Conf. #6939 |
| | Filing Date | May 22, 2002 |
| | First Named Inventor | FALKENHAUSEN, VON |
| | Art Unit | 1618 |
| | Examiner Name | M. P. Young |
| Total Number of Pages in This Submission | Attorney Docket Number | 3868-0113P |

| ENCLOSURES (Check all that apply) | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
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| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm Name | BIRCH, STEWART, KOLASCH & BIRCH, LLP | |
| Signature | <i>Mark J. Nuell</i> | |
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| Date | December 7, 2005 | Reg. No. 36,623 |

Handwritten signature: J. Cooper



MS AF
REPLY UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP

AMENDMENT TRANSMITTAL LETTER

Docket No.
3868-0113P

Application No.
10/089,444-Conf. #6939

Filing Date
May 22, 2002

Examiner
M. P. Young

Art Unit
1618

Applicant(s): FALKENHAUSEN, VON et al.

Invention: PREPARATION CONTAINING ACTIVE AND/OR AUXILIARY SUBSTANCES, WITH
CONTROLLABLE RELEASE OF SAID SUBSTANCES, AS WELL AS ITS USE AND
MANUFACTURE

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED | | | | | |
|--|---|---|-----------------------------------|--------|--|
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 24 | - 24 = | 0 | x 0.00 | |
| Independent Claims | 1 | - 3 = | 0 | x 0.00 | |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | |

☒ Large Entity

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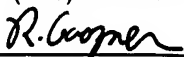
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Mark J. Nuell, Ph.D.
Attorney Reg. No.: 36,623

Dated: December 7, 2005

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Amendment Under 37 C.F.R. 1.116
Expedited Processing
Art Unit 1618
Docket No.: 3868-0113P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
FALKENHAUSEN, VON et al.

Application No.: 10/089,444

Confirmation No.: 6939

Filed: May 22, 2002

Art Unit: 1618

For: PREPARATION CONTAINING ACTIVE
AND/OR AUXILIARY SUBSTANCES, WITH
CONTROLLABLE RELEASE OF SAID
SUBSTANCES, AS WELL AS ITS USE AND
MANUFACTURE

Examiner: M. P. Young

AMENDMENT UNDER 37 C.F.R. §1.116

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Sir:

INTRODUCTORY COMMENTS

In response to the final Office Action dated September 7, 2005, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

This Amendment contains a claim set as amended and remarks.